



**MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St.,
Bridgeport, CA 93517

**Regular Meeting
December 3, 2013**

9:00 AM Meeting Called to Order by Chairman Hunt.

*Supervisors Present: Alpers, Fesko, Hunt, Johnston and Stump.
Supervisors Absent: None.*

Pledge of Allegiance led by Supervisor Stump.

*Break: 10:55 a.m.
Reconvene: 11:02 a.m.
Lunch/Closed Session: 12:54 p.m.
Reconvene: 2:10 p.m.
Adjourn: 4:10 p.m.*

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Gary Nelson (homeowner at Mono City):

- Works for CalTrans in Bridgeport.
- Has been trying to reserve two plots at the Mono Lake Cemetery for 12 years. He has not had any luck getting any help with this.
- Has put his name on a list. He's trying to be on top of things and get this taken care of so his family doesn't have to. He was recently ill, having open heart surgery; he *still* hasn't gotten requested plots.
- Also had issues with Road Dept. years ago getting speed limit signs in Mono City.
- He doesn't feel very represented.
- Chairman Hunt: we need to see where we're at with these things (Jim Leddy will work directly with Mr. Nelson).
- Supervisor Stump: doesn't see why the board would be involved with the cemetery plot reservations but if we need to get involved, let's get involved.

2. APPROVAL OF MINUTES

A. Board Minutes

M13-248 Approve minutes of the Regular Meeting held on November 5, 2013.

Johnston moved; Stump seconded

Vote: 5 yes; 0 no

B. Board Minutes

M13-249 Approve minutes of the Regular Meeting held on November 12, 2013, as corrected.

Stump moved; Johnston seconded

Vote: 5 yes; 0 no

Supervisor Stump:

- P. 14 of draft minutes, under Supervisor Stump's comments, "has some of same concerns as Supervisor Stump." Change to read, "has some of same concerns as Supervisor *Fesko*."

Supervisor Johnson:

- P. 15 of draft minutes, under Supervisor Johnston's comments, remove first sentence, "This is a present."

3. PRESENTATIONS - NONE

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- Attended ESTA meeting with Supervisor Hunt.
- Thanked Supervisor Fesko for going to RCRC.
- Team leadership meeting in Mammoth; PEER tour trip group. Julie Brown is in charge of kid's programs. There were a lot of pre-sale passes sold and a check given to June for the promotion of their winter activities.
- Don Morton of June Lake Accommodations said that June is booked solid.

Supervisor Fesko:

- 11/17 – 11/22, CSAC with two other Board members; great networking.
- 11/26 – Meeting regarding Hwy 270 into Bodie; well attended.
- Thanksgiving, had Bill VanLente over.
- Wild Iris fundraiser tonight from 6-9 p.m. in Mammoth.
- Heading to RCRC today after meeting.

Supervisor Hunt:

- 11/15 – ESTA meeting; no representation from the Town;
- Attended CSAC in San Jose; a lot of networking.
- Reminder 12/17 – gift exchange after meeting.
- Going over hill tomorrow for Sierra Nevada Conservancy meeting.

Supervisor Johnston:

- Attended BioMass meeting; scheduling some outreach to top organizations to update them on biomass project.
- Attended IMACA meeting – new obligation for Supervisors.
- Attended LTC meeting; adoption of MOU.
- Attended CSAC and various meetings at the conference. Gave a brief list of the informational meetings and sessions he attended. Concluded with installation of officers. Mentioned a proposed resolution supporting investments, locally (give to CAO; maybe get onto a future agenda).
- Meeting regarding Bodie Hills Conservancy idea.
- Last night – Mammoth Lakes Housing meeting. Went over mission statement (handout).

Supervisor Stump:

- Attended LTC meeting; going to have follow-up today.
- Attended LDTAC meeting.
- Attended drill, complimented two paramedics that were there for their participation and the way they helped the county. New multi-casualty kits have been purchased.
- Mentioned several Employee Appreciations of the week: Steve Reeves, Jessie Hale, Steve Worabel, Joe Swager, John Hauter and Claude Fiddler. These employees, from Public Works, completed installing the support structure for the first portion of the summer playground shade structure at the Benton and Chalfant parks.

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

Jim Leddy:

- Attended CSAC meeting; conversation on water was very interesting. ALL of California is being hit. CAO's met for several hours to discuss realignment funding. Encouraged having *all* supervisors attend the CSAC annual meeting next year.
- Attended the Hwy 270 meeting; thanked Jeff Walters, Stacey Simon and Supervisor Fesko. Will meet again in January, Caltrans has some homework to do.

6. DEPARTMENT/COMMISSION REPORTS

Marshall Rudolph:

- Possible future agenda item regarding TOT Ordinance; were waiting on Traynor's appeal.
- In light of how appeal was resolved, it may not be something the board WANTS to agendize now.
- Supervisor Fesko: no agenda item; it would be ordinance on top of powers the board already has.
- Supervisor Stump: no agenda item but would like to at least see draft and then make a final decision on whether or not to agendize.
- Supervisor Hunt: would like to be part of larger discussion; should be mechanism in place for county to deal with this. Wants to review draft.
- Supervisor Johnston: he thinks we should have a precedent to unprecedented situations. We need a provision in place.
- Supervisor Alpers: He thinks Board should have flexibility on a case by case basis; we'd lose flexibility if there was an ordinance; doesn't feel we need an agenda item.
- This will be an agenda item; for discussion. He has draft of the proposed ordinance, waiving the first reading. Can decide at that point whether or not it gets adopted.

7. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

A. **Appointment of Long Valley Regional Planning Advisory Committee**

Departments: Community Development Department

Consider new appointment, Alison Feinberg, to the Long Valley Regional Planning Advisory Committee as recommended by

Supervisor Stump.

M13-250 Action: Appoint Alison Feinberg to the Long Valley Regional Planning Advisory Committee.

Johnston moved; Fesko seconded

Vote: 5 yes; 0 no

Pulled by Supervisor Johnston:

- Question about process, not about the appointee.
- Terms need to be staggered.
- Needs to be consistent with all RPACS.
- No one should be appointed to life; there needs to be terms.

Supervisor Fesko:

- He is fine with RPACS conducting their organizations as they wish.

Supervisor Stump:

- Intent is to roll over into staggered terms rather than disrupt RPAC at the same time.

B. MOU among Mono County, the Town of Mammoth Lakes, and RedRover for Crisis Animal Care

Departments: Animal Control, Sheriff

Proposed contract with United Animal Nations d.b.a. RedRover and the Town of Mammoth Lakes pertaining to the provision by RedRover of shelter, food, medical, and other services for animals during emergencies.

M13-251 Action: Approve County entry into proposed contract and authorize Chairman to execute said contract on behalf of the County.

Johnston moved; Fesko seconded

Vote: 5 yes; 0 no

C. Employment Agreement - Resolution Approving Agreement re Employment of Dr. Richard Johnson

Departments: Human Resources

Proposed resolution approving a contract with Dr. Richard Johnson, and prescribing the compensation, appointment and conditions of said employment.

R13-105 Action: Approve Resolution #R13-105, approving a contract with Dr. Richard Johnson, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Johnston moved; Stump seconded

Vote: 4 yes; 1 no: Fesko

Pulled by Supervisor Fesko:

- Same issue he has with the car allowance; smoke and mirrors.
- He will be voting no.

D. Resolution for the District Attorney to Enter into a Grant Award with the BSCC

Departments: District Attorney

Resolution approving and authorizing the Mono County District Attorney to participate in and administer the Edward Byrne Memorial Justice Assistance Grant Program funds which is part of the Anti Drug Abuse Enforcement Team Program.

R13-106 Action: Adopt proposed Resolution #R13-106, approving and authorizing the Mono County District Attorney to participate in and administer the Edward Byrne Memorial Justice Assistance Grant Program funds which is part of the Anti Drug Abuse Enforcement Team Program. Provide any desired direction to staff.

Johnston moved; Fesko seconded

Vote: 5 yes; 0 no

Supervisor Stump:

- Brought up law enforcement issue over Burning Man weekend.
- Asked about this grant money and how it might be related to the saturation patrols.
- Maybe a discussion to have next spring?

Tim Kendall, D.A.:

- Saturation patrols take place throughout the year; the one over the Burning Man weekend happened to be one of them.
- He's not involved in that planning; he's only involved in the running of the grant. Grant monies would pay for overtime for saturation patrol.
- Appreciates the conversation the board would like to have. The Sheriff and D.A. have very different concerns than the Board when it comes to this topic.
- It's his understanding that the courts have deemed that these types of checkpoints are legal and proper.
- The court will rule on whether or not stops are suspect or not.

Supervisor Johnston:

- Wants an agenda item to discuss the stopping of motorists, saturation patrols.
- These stops are subjective and potentially prejudicial; we need to have a discussion about this.
- Personally it's a breach of his freedom to be stopped in this way.

Supervisor Fesko:

- Agrees with Supervisor Johnston; would be an interesting conversation.
- Feels the Burning Man weekend saturation was very subjective.

Sheriff Obenberger:

- When his officers pull people over, it's because they have a reason.
- They stopped numerous people on that weekend; if people break the law they go to jail.
- Disagrees that traffic stops during that weekend were questionable.
- His job as Sheriff is to ensure the safety of both visitors and residents and his department will do that no matter what.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are located in the Office of the Clerk of the Board, and are available for review.

A. **Cramer Letter Regarding Solid Waste Parcel Fee**

Correspondence dated November 3, 2013 to the Board from Gary Cramer regarding the amount he pays for the solid waste parcel fee.

This letter is requesting a possible decrease in the assessed fee and refers to past correspondence between Mr. Cramer and Mr. Jeff Walters of the Public Works Department.

The Board acknowledged receipt of the correspondence.

9. REGULAR AGENDA - MORNING

A. **Heavy Equipment Replacement**

Departments: Public Works

(Jeff Walters) - The California Air Resource Board (CARB) requires reductions in diesel emissions for Mono County's fleet of heavy equipment. Two schedules detailing the CARB compliance dates and associated costs for off-road and on-road equipment are attached.

Action: None.

Jeff Walters:

- Looking at approximately \$21 million on revised sheet.
- Went through brief summary of two schedules. Discussion about compliance deadlines, different dollar amounts, potential options, etc.
- He's put in for total replacement.
- Two policy items that was brought before board: 1. Initial item to replace dump trucks and 2. Water tank slip-ins.
- All figures listed in his staff report are the highest technology available.
- He and his staff recognize the cost to the county and also understand that constituents require good working and reliable vehicles.

Supervisor Stump:

- Asked about age of equipment.
- By 2020 or 2025 (even if we purchase 2014/2015's now) we might have vehicles that will not be compliant?
- Need to keep this issue at the top of the priority list; agrees with Supervisor Johnston on looking at financing options.
- Compliments staff on bringing unpleasantness to the board and on trying to save board money; its obvious Jeff is looking at all options.

Supervisor Johnston:

- There has been a historic (not systematic) replacement that has gone on within Public Works budget but this hasn't covered the Public Works vehicles.
- He wants to know what amount of money is being spent on replacements.
- There is an overlap on CARB compliance and regular replacement. We can't blame all this on CARB.
- New technologies out there that could buy us time.
- We need to put together a tight 20-year plan; need to get down to brass tacks and discuss financing.
- We have a way to do this without paying a bunch of fees.

- On policy items: when are you asking for those?
- He's not talking about a lease; he's talking about some type of financing.

Supervisor Fesko:

- Anything '94 or newer needs to be replaced by 2020? Have we purchased vehicles '94 or newer that will need to be retrofitted?
- Doesn't want to purchase Tier 3's today knowing we might need to retrofit them later. We should focus on Tier 4's if possible.
- We're not going to have the money to pay out; but between now and 2018, we better set money aside.
- The problem with leases or financing is you still need money to pay for those.

Supervisor Hunt:

- We need to stay flexible as this is constantly changing; but we need a plan and need to be prepared.

Leslie Chapman:

- The policy items are not currently in the budget. Funds would need to be moved.

Jim Leddy:

- Financing discussion needs to occur next.

B. CARB Financing Workshop

Departments: Finance

(Leslie Chapman) - Presentation by Leslie Chapman regarding financing options for purchasing CARB compliant equipment.

Action: None.

Leslie Chapman (power point, to be kept in file folder for today's meeting):

- Hopes to provide a springboard that the Board can use for discussion/options.
- She consulted with Brandis Tallman, LLC (finance group) and brainstormed different options. The following presentation sums up those discussions.

CALIFORNIA AIR RESOURCES BOARD "CARB" Compliant Vehicle Replacement Financing Options Presentation –

- Option 1 – Master Lease
 - A line of credit established with a borrower.
 - Process to obtain Master Lease.
 - Master Lease Terms.
 - One time cost of issuance of \$30,000 for placing the master lease with the lender. No other financing costs associated with the master lease.
 - Master Lease Sample Amortization.
- Option 2 – Private Placement
 - Direct loan placement with an institutional investor, i.e. a bank.
 - Bare bones version of public offering.
 - No credit rating required.
 - No official statement required.
 - No Trustee required.

- No public continuing disclosure required.
- Private Placement Lenders.
- Cost of issuance could be as low as \$7,500 per transaction.
- Provides County with the ability to make multiple, smaller loan issuances, as the need for equipment financing arises.
- Private Placement Sample Amortization.
- Option 3 – Public Offering
 - Underwriter purchases bonds from issuer with intent to resell bonds to investors.
 - List of where the sale of bonds can be made to.
 - Requirements for a public offering.
 - Requirements and due diligence procedures increase costs of issuance of bonds, requires a lot of staff time.
 - Bonds can be serialized so that interest rate increases each year rather than remaining fixed for term of bonds; can provide overall lower interest cost.
- Option 3 – Public Offering Certificate of Participation (COP)
 - Public offering mechanism available to the County for the vehicle replacement program is a COP.
 - Typical COP structuring.
 - If COP designated as option, in County's best interest to finance the entire vehicle replacement program in one or two issuances rather than multiple smaller issuances.
 - Term of COP is generally limited to the useful life of the equipment.
 - IRS requires public agencies have expectation to expend 85% of all financed proceeds within 3 years of issuance.
 - COP Sample Amortization.

Additional comments:

- She has issue with Supervisor Johnston's idea because it's other people's money. Also has issues with liquidity.
- Not a terrible idea, just needs exploring.
- Will bring a slate of potential Treasury Oversight Committee appointees to the board soon. The Investment policy will need to be revised first thing.

Marshall Rudolph:

- Clarified legal issues.
- Did some comparisons to Solid Waste lease.
- Shouldn't do a COP type of thing unless amount of financing is extremely large; it's very expensive.
- Other agencies would need to consent to the use of their money.

Supervisor Alpers:

- How do we logistically go about borrowing money from the special districts? What's the process?

Supervisor Fesko:

- Before we go too far, where does the initial money come from?
- What is legality of using other people's money that's in our treasury?
- Are two policy items needed right now, today?

Supervisor Johnston:

- Setting \$1 million aside without financing at very low interest rate, you're losing money. Gave examples of this.
- We need a plan for the amount we need every year; we need to work through details.
- We have to be careful not to be too stagnant in the existing economy. We are talking about 15 years down the road.
- Ok to add this to the budget discussion, but it needs to not be lost track of.

Supervisor Stump:

- How much of the \$60 million is county funds?
- There is also the issue of equipment life.
- Doesn't want to see this slip for months; how long for Leslie and Jeff to come back to the board and answer questions? January?
- We need to start releasing information to citizens about this issue.

Jim Leddy:

- This would have to happen in open session.
- Similar thing happened in Sonoma County, different issue. Had to have greater flexibility than liquidity
- Where does it save money on an annual basis?
- What's the price tag on an ongoing basis that the board is willing to pay? What services is the board willing to cut?
- The mid-year budget discussion (Feb. 11th) is going to address the overall budget. This might be a good time to readdress this discussion.

Jeff Walters:

- He can come back in January with more information.

C. **Update on County Regional Transportation Improvement Program (RTIP) Submittal**

Departments: Community Development

(Garrett Higerd) - Update on the 2014 RTIP submittal.

Action: None.

Garrett Higerd:

- Here to give update on 2014 RTIP submittal.
- Handout given to Supervisors; to be posted to web.
- Went over previously discussed 2014 STIP Projects.
- Programmed \$2.8 million dollars.

Supervisor Stump:

- Asked about money in maintenance program.
- Reserves would get reduced if Town asks for money?
- Garrett should rename "preventative maintenance" to whatever he needs to rename it.

Supervisor Johnston:

- Need to keep in mind what transportation enhancement funding is for.
- He would like to see us reserve a bit of that.
- Could we have another line item that puts trails, etc. into a separate pot?

Supervisor Alpers:

- Asked about ESTA requests.

- He sees a better use of the money besides a bus replacement.

Gerry LeFrancois:

- The reserve is a bank account; caveat is that LTC controls and allocates money. If money isn't there, they won't do it.
- We need to spend money consistent with STIP guidelines.
- You can use STIP funds for vehicle replacements and LTC has historically taken advantage of that.

D. Mono County Fisheries Commission Appointments

Departments: Board of Supervisors

(Supervisors) - The Mono County Fisheries Commission currently has four (4) vacancies. The terms of office for these volunteer positions will commence upon appointment and expire on April 1, 2017. The vacancies must be filled by a Mono County resident with an interest or background in fishing and wildlife. This vacancy was properly listed in the newspaper and a total of five (5) applications have been received for consideration of these appointments.

M13-252 Action: Appoint Robert Dunn, R. Gary Jones, Steve Marti, and Gaye Mueller from the packet of four applications to the Mono County Fisheries Commission, terms to expire April 1, 2017.

Alpers moved; Fesko seconded

Vote: 4 yes; 1 no: Johnston

Jim Leddy:

- Brought back to the board.
- There are now four spots and four candidates.

Supervisor Stump:

- Wanted to make a comment about the heat the Board took about the well. This item was pulled by Mr. Marti a long time ago and *that* is the reason there is no well.
- This type of garbage needs to stop.

Supervisor Hunt:

- He has told Fisheries Commission that he is relying on constant communication between them and the Board from here on out.
- If we appoint these commissioners back into their positions, they need to be expected to work closely with the board.
- He doesn't hold anything personally against the board; they need a chance to do the right thing.
- He's going to support the four up for reappointment, but he is watching them.

Supervisor Johnston:

- He'd like to leave one spot open and get it filled from a south county person.

Supervisor Alpers:

- Explained discussion with Don Morton (June Lake resident) and the fact he backed out due to expected obligations.
- Not sure how you arbitrarily pull one from the four applicants?
- We need to keep an eye on the work product of this commission.

Supervisor Fesko:

- Brought up issues with Robert Dunn.
- This board can pull anybody from any commission at any time.

E. Mono County Volunteer Service Event

Departments: CAO

(Jim Leddy/Sarah Messerlian) - This is continued discussion from a Board item on October 15th, at the request of Supervisor Larry Johnston. The concept is to host a special event to recognize and thank citizens who serve on Board appointed committees or commissions.

No taxpayer funds would be utilized, as this event would be paid for by those invited to attend through ticket sales. Items for consideration include invitations, postage, venues and catering. All of those items would be included in the cost of the ticket so that no taxpayer funds would be utilized. Staff time would not be included.

Action: None.

Jim Leddy:

- Thanked Sarah for her work on this.
- Went over various recommendations.
- Ticket price \$30-50.
- One invitation to both.
- Maybe add on \$5 and include Wild Iris (a non-profit)?

Supervisor Hunt:

- Original idea was to do during the holiday season; now it's being pushed out of this season.
- He suggests doing it beginning next December, one ball for each area (north and south).
- Start planning now for next year, or should we push for this year?

Supervisor Johnston:

- Problem is county can't finance this so we're charging people to thank them.
- Call it a potluck event to reduce costs – can still be a gala event.

Supervisor Alpers:

- If we're going to celebrate this, it should be something they come to and it should be dressy.

Supervisor Stump:

- Doesn't think it needs to be formal; these are informal folks.
- He's more in favor of spring and fall events due to iffy weather.
- Sees why a central location is preferred, but feels the periphery of the county would be excluded.

Supervisor Fesko:

- Agrees with Supervisor Stump.

Marshall Rudolph:

- He doesn't see a legal reason why funds can't be spent on this type of thing; whether it's a good use of funds or not is a separate issue.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
No one spoke.

11. CLOSED SESSION
There was nothing to report of closed session.

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, Bill Van Lente and Jim Leddy. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

B. Closed Session - Conference with Legal Counsel

Departments: Board of Supervisors

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Inland Aquaculture Group, LLC v. Mono County et al.

C. Closed Session - County Counsel Performance Evaluation

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Counsel.

D. Closed Session - Public Employment, Public Works Director

Departments: Human Resources/CAO

(Bill Van Lente) - PUBLIC EMPLOYMENT. Government Code section 54957. Title: Public Works Director.

REGULAR AFTERNOON SESSION COMMENCES AT 2:00 P.M.

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
No one spoke.

13. REGULAR AGENDA - AFTERNOON

A. U.S. Fish and Wildlife Service Sage-Grouse Listing Workshop

Departments: Community Development

NOTE: THIS ITEM ADJOURNED ACROSS THE STREET TO MEMORIAL HALL IN BRIDGEPORT.

(Steve Abele and Ted Koch, US Fish and Wildlife Service) - Presentation and workshop by Ted Koch, State Supervisor, and Steve

Abele, Wildlife Biologist, U.S. Fish and Wildlife Service, regarding proposed designation of critical habitat in Mono County and listing of the Bi-State Distinct Population Segment of the Greater Sage-Grouse as a threatened species under the Endangered Species Act.

Action: None.

Chairman Hunt:

- Thanked Don Nunn of Public Works for setting up the Memorial Hall; he did a great job.
- Thanked U.S. Fish & Wildlife for making it here in spite of weather.
- There won't be a resolution today; just wanted to open up discussions.

Scott Burns:

- Introduced item.
- If extension not granted, comment period will close December 27th. Additional time is definitely needed.

Ted Koch, State Supervisor:

- Introduced staff that came with him today.
- Gave overview of what Fish and Wildlife do.
- Basic concept of the Endangered Species Act: conserve ecosystems upon which species depend.
- Why are there concerns when a species is suggested to be listed? Sometimes sacrifices are necessary, can create controversy.
- The type of information being offered by Mr. Paulus is extremely helpful.
- They'd love to have more time for comment and more dialogue like the one happening today.
- Decision as to whether to extend comment period or not will need to be made soon. He doesn't have an exact answer. However, if comment period extended, he does ask Board not to wait until last couple days to make comments.
- Agrees with Supervisor Fesko's comments.
- Critical Habitat discussion.
- Urbanization, infrastructure doesn't have to be on a large scale to make an impact.
- Fire – there's such a thing as too much or too little.
- How much is enough? Very difficult to answer, they don't have a number.
- Sage Grouse were meant to be eaten initially; part of the ecosystem.
- He's optimistic that there are common interests here; he understands that naming species critical habitat can be threatening.
- How do they account for evolution? They don't think evolutionary processes are functioning within timeframe they're working in.
- Trusting the Government? Are we the Government? Do we trust ourselves? Idea of trusting government is an oxymoron. Not his goal to persuade, it's his goal to inform. As a reminder, he's not here making promises.
- High chance of this species being listed. Once it gets to the proposal phase, it's usually listed.
- For the community: grazing (proper vs. improper), doesn't see private land thing becoming an issue but could happen.
- He's aware of concerns and wants to be able to come to some sort of understanding.
- Timing and process is court driven; the outcome is not.
- The DWP is pursuing a Section 10 which would leave them off list.
- The private lands are essential to the critical habitat list.
- Steve's his only guy; dialogue is so important.

Supervisor Fesko:

- Went to map to make comments.
- North County, Bridgeport for example IS critical habitat. Maps need to be much finer than they are.
- In Walker, he has never seen a Sage Grouse yet it's listed as critical habitat.
- He feels it's their duty to come up with official critical habitat.
- The 6% of private land should be released from list.
- Fish and Wildlife haven't made a huge effort in communication.

Supervisor Johnston:

- Spoke about Dr. Paulus and why they hired him, etc. It's important that they realize who he is, why he spoke today.
- Discussion about potential threats; feels there are generally some inconsistencies.
- Seems like there is not a good basis to say this is an endangered species.
- What is the target number of birds? What's starting point?
- There are things provided to us that don't make sense.
- 82% of private land in Mono County is critical habitat on map.
- The legal challenge seemed to present more facts, yes or no?
- How will this factor into future Mono County projects? Digital 395?
- Exempting Dept. of Water and Power from critical habitat, is that true?
- Thanked them for coming; asked again for the 90-day extension period.

Supervisor Hunt:

- Asked about predation?

Supervisor Stump:

- A lot of this sounds like supposition; that's the point of Dr. Paulus and his research and for the 90-day extension request.
- For him, he supports conservation of sage grouse; there's enough predation from other sources. But, Ted hasn't convinced him why they need this additional layer of protection. If it's really needed, the 90-day extension period needs to be honored.
- Spoke about being sued; doesn't think that the lawsuit in and of itself gives permission to deviate from sound science in making decisions.
- Thanked all Supervisors for their input.

Supervisor Alpers;

- Sometimes obvious is not important but the obscure is (just so we're all on the same page), looking at the maps and all comments, in relative terms the threat of the listing is worse to citizens in the county than the threats are to the sage grouse.
- If you leave today without a doubt of granting an extension, why were we here?
- Understaffing of the Fish & Wildlife is not this Board's problem.

THE FOLLOWING INDIVIDUALS MADE COMMENTS:

- **Jim Paulus (Biologist)**
- **Tim Hansen (former Board member, Lee Vining resident)**
- **Fred Fulstone (Bighorn sheep, rancher)**
- **Benny Romero (Bridgeport Rancher)**
- **Floyd Rathbun (Consultant, Fallon, NV)**
- **Drew Foster (Friends of the Inyo)**
- **Steve Noble (Bridgeport resident)**
- **Jan Huggans (Bridgeport resident)**

ADJOURN 4:10 p.m.

ATTEST:

BYNG HUNT
CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD